

CHAP. 260.

This act to be printed and forwarded to the militia officers

SEC. 3. *And be it enacted*, That this act shall be printed under the direction of the adjutant general of this State, in pamphlet form, and a copy thereof be forwarded, by mail, to each of the militia officers of this State, whose duty it is to carry into effect the provisions thereof; and the Treasurer of the Western Shore is hereby required to pay, to the order of the adjutant general, the amount which such printing may cost.

CHAPTER 260.

Passed Mar. 10, 1841.

An act to repeal certain parts of the act, entitled an act for the promotion of Internal Improvement, passed at December session, eighteen hundred and thirty-five, chapter three hundred and ninety-five.

Repeal of part sec. 5, act 1836, ch. 395

Balt. & O. rail road co. released from paying \$1,000,000

Right reserved

Proviso

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That so much of the fifth section of the act, entitled an act for the promotion of internal improvement, passed June four, eighteen hundred and thirty-six, chapter three hundred and ninety-five, as makes it the duty of the Baltimore and Ohio Rail Road company to construct the said road, so as to pass through Hagerstown and Boonsborough, be and the same is hereby repealed; and that the forfeiture of one million of dollars, reserved to the State of Maryland as a penalty, in case the said Baltimore and Ohio rail road company shall not locate the said road, in the manner provided for in that act, be and the same is hereby remitted and released, and any suit instituted to recover the same sum of one million of dollars, or any part thereof, be and the same is hereby declared to be discontinued, and of no effect.

SEC. 2. *And be it further enacted*, That the State of Maryland hereby reserves the right, if after the completion of the said rail road to the Ohio river, the Legislature should deem it expedient to require the said Baltimore and Ohio rail road company to construct a lateral road or branch from some convenient point of the main stem up the Antietam valley to Hagerstown; *provided*, the said lateral or branch road can be constructed at a cost not exceeding the sum of three hundred and fifty thousand dollars, including damages for the right of way.